

REMARKS/ARGUMENTS

Reconsideration of this application is respectfully requested.

The rejection of claims 1-10, 21, 22 and 25-27 under 35 U.S.C. §101 as allegedly directed to non-statutory subject matter is respectfully traversed.

As will be evident to those skilled in the relevant art and as described, for example, at page 6, lines 13-20, and in original claims 25 and 27, the apparatus provided by the present invention is, in an exemplary embodiment, embodied in a computer system. A computer program or suite of computer programs is arranged in this exemplary embodiment such that, when executed by a computer system, functional modules are effected as shown in Fig. 1. Such computer programs may, for example, be stored on computer-readable media accessibly connected to the computer system for execution.

A computer configured by programming to effect functionality uniquely defined by that programming when it is executed by the computer CPU is necessarily a "machine" that falls within the statutory classes of potentially patentable subject matter defined by 35 U.S.C. §101. When operating under such program control, such computer system effects a computer-implemented automated method that also falls under the statutory class of useful "process." Computer-readable media storing such structured computer program instruction code also constitutes a "manufacture" under 35 U.S.C. §101.

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The Examiner's concern that the claimed subject matter might possibly cover "an embodiment of software alone" is not understood. "Software" does not have a meaningful existence "alone." A meaningful existence for computer software requires that it be embodied in a physical form that can cause a predefined sequence of computer code instructions to pass into an instruction register of a CPU and to be executed so as to effect a uniquely corresponding functionality for the computer system while it is executing such structured computer program code.

Furthermore, when a computer-implemented process is being performed by a programmed computer, there are also necessarily many transformations of matter taking place. For example, where magnetizable storage media is involved, the magnetizable domains of magnetizable material are shifted in unique manners so as to represent unique physical structural sequences.

Similarly, the state of doped semiconductor material residing throughout many integrated circuits acts as registers, gates and the like, which necessarily transition from one state to another. Indeed, historically, digital computers have been consistently referred to as "state machines" for precisely this reason.

In any event, the claims have been amended above so as to make it clear that they necessarily do require the use of computer hardware and, thus, these grounds of rejection have been mooted.

It will be noted that claim 25 has been amended so as to be directed explicitly to a computer-readable medium, etc., while claims 26-27 have been cancelled.

The rejection of claims 1-27 under 35 U.S.C. §103 as allegedly being made "obvious" based on Kanevsky '947 in view of Huttunen '881 is respectfully traversed.

Claims 1 and 11 have been amended to include the features of original claims 3 and 13, respectively.

The independent claims 1 and 11, therefore, now require, under certain circumstances, the combining of an already transformed content portion with a 'sibling' content portion, i.e., a content portion split from the same parent portion for further iterative processing. The term 'parent' is well understood in this context – see, e.g., the original specification at page 20, lines 13-19.

The presently claimed invention minimizes the amount of white space that exists on new pages resulting from the splitting process, as initially envisaged in the description at page 2, lines 19-22 of the original application. "White space" is well understood to mean blank portions of the adapted web content that contain no graphics or text.

Kanevsky and Huttunen individually (and combined) fail to disclose or suggest such novel steps and merely discuss splitting content with no appreciation of attempting to minimize the amount of white space.

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With respect to original dependent claim 3 (and claim 13), the Examiner asserts that such is found:

“...because Kanevsky teaches searching for an optimal match, and if a match is not found, using a web page adaptation module to fold web pages into several pages, dividing the pages into nodes and, if required, to strip objects from the pages (col. 9, lines 6-45; col. 15, lines 62-col. 16, line 36).” [From page 7 of the office action dated December 23, 2008.]

However, when Kanevsky is examined carefully, it will be seen that these citations do not support the Examiner's assertions.

While it is true that Kanevsky includes an automatic adaptation module 207 as shown in Fig. 3, there is no teaching or suggestion here in Kanevsky of further processing an already transformed content portion and conditionally combining that already transformed content portion with a further content portion split further from the same parent content portion to form a combined content portion for further iterative processing.

As the Examiner has recognized, a more detailed description of the Kanevsky automatic adaptation module 207 is depicted in Fig. 8 and corresponding text (e.g., see the text bridging cols. 15-16 as cited by the Examiner). However, here the example of processing is in connection with Fig. 12. There, data group S1 is split apart for display as a single page of reduced size. However, the only thing added to this split out text is

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a generated button 1403 – serving as a link to the split out data group S2 comprising a “picture 3.” Indeed, the data group S2 is not even reformatted to fit on the smaller display screen, but instead requires the user to scroll up and down in order to see the entirety of “picture 3.”

It is respectfully submitted that the now claimed subject matter, when considered “as a whole” (as it must be under 35 U.S.C. §103), is not taught or suggested by the cited prior art.

With respect to independent claim 21, the Examiner already recognizes that Kanevsky does not teach recursion. For this admitted deficiency, the Examiner relies upon Huttunen which teaches dynamic partitioning of structured documents. However, Huttunen merely partitions a structured document into semantically coherent fragments that have a size less than a predetermined threshold. However, neither Kanevsky nor Huttunen (nor any combination thereof) suggests recursive splitting while simultaneously applying different transformations so as to minimize the amount of white space visible on the smaller pages. If the Examiner believes that there is such teaching found anywhere in these two references, then it is respectfully requested that such be particularly pointed out.

The same comments apply to independent claim 23.

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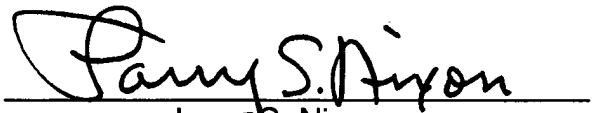
Given such fundamental deficiencies of both cited references with respect to the above-discussed aspects of each independent claim, it is not necessary at this time to discuss additional deficiencies of these allegedly "obvious" combinations of references with respect to other aspects of the rejected claims. Suffice it to note that, as a matter of law, it is impossible to support even a *prima facie* case of obviousness unless the cited prior art teaches or suggests each and every feature of the rejected claim.

Accordingly, this entire application is now believed to be in allowable condition, and a formal notice to that effect is earnestly solicited.

Respectfully submitted,

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